

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ALVIN ROYBAL, JERRY B. SANCHEZ,
and ANSELMO SMITH,

Plaintiffs,

vs.

Civ. No. 13-0025 KG/SCY

CITY OF ALBUQUERQUE,
RICHARD J. BERRY, Mayor,
ROBERT PERRY, Chief Administrative Officer,
VINCENT YERMAL, Director of Human Resources,
MARY SCOTT, Dep. Dir. Human Resources,
BRUCE RIZZIERI, Transit Department Director, and
CITY LABOR-MANAGEMENT RELATIONS BOARD,

Defendants.

SUMMARY JUDGMENT AS TO CERTAIN DEFENDANTS

Having granted the Motion to Dismiss or, in the Alternative, Motion for Summary Judgment Dismissing Complaint in Its Entirety as to These Defendants (Doc. 40) by a Memorandum Opinion and Order entered contemporaneously with this Summary Judgment as to Certain Defendants,

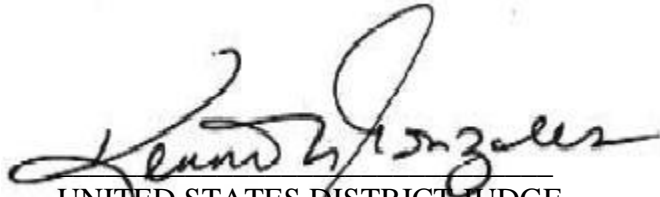
IT IS ORDERED that

1. summary judgment is granted in favor of Defendant Mary Scott on Counts 1, 3, 4, and 6 of Plaintiffs' First Amended Complaint for Violations of Constitutional and Contractual Rights and Wrongful Termination, Abuse of Process, and Prohibited Labor Practices (Doc. 26) (First Amended Complaint);
2. Counts 1, 3, 4, and 6 of the First Amended Complaint are dismissed with prejudice as to Defendant Scott;

3. summary judgment is entered in favor of Defendants City of Albuquerque, Richard J. Berry, Robert Perry, Vincent Yermal, and Bruce Rizzieri on the claims brought by Plaintiffs Jerry B. Sanchez and Anselmo Smith in Counts 1, 3, 4, and 6 of the First Amended Complaint;

4. the above claims against Defendants City of Albuquerque, Berry, Perry, Yermal, and Rizzieri are dismissed with prejudice; and

5. Defendants City of Albuquerque, Berry, Perry, Yermal, Rizzieri, and Scott are terminated as parties to this lawsuit.



UNITED STATES DISTRICT JUDGE